# GOVERNMENT OF INDIA
# COMMUNICATIONS AND INFORMATION TECHNOLOGY
# LOK SABHA

UNSTARRED QUESTION NO:3202
ANSWERED ON:16.03.2016
Legislation for Data Protection
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**Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:**

(a) whether the Government is planning to introduce a new legislation for data protection in India;
(b) if so, the details thereof; and
(c) if not, the reasons therefor?

## Answer

(a), (b) and (c): Section 43, Section 43A and Section 72A of the Information Technology Act, 2000 provides comprehensive legal framework for privacy and Security of data in digital form. Section 43A mandates that body corporate, who collect personal data or information must provide privacy policy for handling of or dealing in personal information including sensitive personal data or information on their websites. Sections 43 and 43A of the Act provides for compensation to be paid to the victim in case of unauthorized access of information and leakage of sensitive personal information respectively. Section 72A provides for punishment for disclosure of information in breach of the lawful contract.

Further, the bill namely "The Aadhaar (Targeted Delivery Of Financial And Other Subsidies, Benefits And Services) Bill, 2016" passed in Lok Sabha on 11th March 2016 contains a chapter relating to protection of information collected and stored by Unique Identification Authority of India (UIDAI) and correspondingly a separate chapter on offences and penalties thereto. Provisions of data protection also exists in the Indian Telegraph Act, 1885 and the rules therein. There is no such proposal with the Government at present to introduce a new legislation for data protection in India

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